

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of all the claims now in the application (i.e., claims 1, 3, 4, 11, 13-22, and 25-27) is respectfully requested in view of the foregoing amendments and the following remarks.

Initially Applicants would like to thank the Examiner for her indication that claims 25-27 were allowed, and that claims 2-4 would be allowable if amended to overcome a rejection under 35 U.S.C. § 112 and include the limitations of claim 1, and that claims 12-21 and 24 were objected to. Applicant has amended claim 11 to include the limitation of claim 12 and has canceled claim 12. Applicants have added the limitation of claim 2 to claim 1 and added claim 1 to claim 4. Claim 22 has been amended to include limitations of claims 23 and 24 and claims 23 and 24 have been canceled.

Initially the Examiner rejected claims 1-4 as being indefinite for the reasons stated on page 2 of the Office Action. Applicants have amended these claims in an attempt to overcome these rejections. Specifically, with regard to claim 1, Applicants have indicated that the axial direction is the direction of the transverse axis.

The Examiner then rejected claims 1-2, 11, 22-23 and 28-30 as being anticipated by Bramlet et al. (US 6,443,954). The Examiner considered that sleeve 4 of Bramlet et al. was the claim biasing sleeve. Applicants have amended the claims to indicate that their sleeve deforms axially along the transverse axis and contacts either the screw head and/or the outer surface of the nail surrounding the transverse bore. Clearly Bramlet et al. discloses a sleeve internal to the transverse bore which sleeve does not contact the outer surface of the nail shank. At no location on the Bramlet et al. device that the head of the screw 6 force an end of the sleeve 3 against the outer surface

of the shank surrounding the transverse bore. The sleeve is held axially in position by screw 2 not by any engagement with the nail.

Consequently, it is submitted that the claims as amended are not anticipated by Bramlet et al.

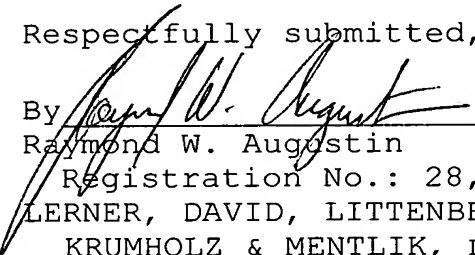
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 25, 2008

Respectfully submitted,

By 
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